



Comoros

Country Reports on Human Rights Practices - [2003](#)

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The Union of Comoros is an emerging democracy ruled by President Azali Assoumani, who took power in a coup in April 1999 and subsequently was elected in April 2002 presidential elections described by international observers as free and fair. The country consists of three islands (Grande Comore, Anjouan, and Moheli) and claims a fourth, Mayotte, which is governed by France. Legislative elections, scheduled for March, did not take place during the year. A December ministerial meeting resolved the few remaining issues pertaining to national reconciliation. Among the issues decided at the reconciliation talks was the date for legislative assembly elections, after which a committee will be formed to draft a new constitution. Local elections for the three islands are scheduled to take place in March 2004 with National Elections scheduled for April 2004. The Constitution provides for an independent judiciary, and it was independent in practice.

The Comorian Defense Force and the Gendarmerie are responsible for internal security under the President's direct control. The civilian authorities maintained effective control of the security forces. Some members of the security forces committed human rights abuses.

The economy was dominated by agriculture; the country's population was approximately 590,000. Revenues from the main crops continued to fall while the population grew at an annual rate of 2.7 percent. In 2001, per capita income was approximately \$356. The country depended heavily on foreign assistance.

The Government generally respected the human rights of its citizens; however, there were problems in some areas. Prison conditions remained poor. Unlike in previous years, security forces and the separatist authorities on Anjouan did not use arbitrary arrest and detention during the year. The Government restricted freedom of religion, and security forces reportedly continued to threaten Christians. Societal discrimination against women and Christians continued to be serious problems. There were some instances of forced child labor.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life by the Government or its agents during the year.

In addition to the police and the military, there were many armed groups on Anjouan, including paramilitary forces, militias, and civilians. There were no reported killings by these groups during the year.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices, and there were no reports that government officials employed them.

On November 27, security forces reportedly forcibly dispersed a protest march (see Section 2.b.).

Prison conditions remained poor. A lack of proper sanitation, overcrowding, inadequate medical facilities, and poor diet were common problems. The Government has not taken action to remedy these problems.

Female prisoners were held separately from male prisoners. Juveniles were not imprisoned; they were returned to the custody of their parents. Pretrial detainees were not held separately from convicted prisoners.

The Government permitted prison visits by independent observers, and at least one such visit by the International Committee of the Red Cross occurred during the year.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, some people apprehended by the police were brought arbitrarily to military camps instead of jails and in some cases held without charge for over 24 hours, contrary to the law.

On Grand Comore, there were two police forces: The Gendarmarie, which was part of the national army and controlled by the national Government, and the local police forces, which were controlled by the local island governments and were also responsible for immigration. On Anjouan and Moheli, the Gendarmarie handled local policing.

The Constitution prohibits forced exile, and the Government did not use it.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision. The Head of State appoints magistrates by decree.

The High Council, made up of four members appointed by the President, three members elected by the Federal Assembly, and a member of each island council, also served as the High Court of the Republic and ruled on cases of constitutional law. Trials were open to the public except for limited exceptions defined by law. The legal system incorporates Islamic law as well as French legal codes. There were very few lawyers in the country, making it difficult to obtain legal representation. Most disputes were presented to village elders for possible resolution before being taken to court.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions, and the Government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights in practice.

There were two independent newspapers that published regularly and one semiofficial weekly *Al-Watwan*. The independent newspapers criticized the Government freely.

There were two national radio stations: The government-run radio station, Radio Comoros; and the opposition radio station, Radio Tropique. In addition, there were at least 10 regional and local stations, some of which were openly critical of the Government. Residents also received broadcasts from Mayotte Radio, as well as from French television, without government interference. A television station, whose construction was funded by the Chinese Government, was operational during most of the year but ceased operations by year's end. There were several private local television stations, and satellite antennas were popular. Amateur radio licenses were issued without restriction.

Foreign newspapers and books were available.

The Government did not restrict access to the Internet.

The Government did not restrict academic freedom.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the freedom of assembly, and the Government generally respected this right in practice. However, on November 27, police forcibly dispersed a march protesting government policies. At least 15 of the marchers were injured.

The Constitution does not provide specifically for the freedom of association; however, the Government generally respected this right in practice.

c. Freedom of Religion

The Constitution provides for freedom of religion; however, the Government restricted this right in practice.

The Constitution declares Islam the official religion, and the Government discouraged the practice of religions other than Islam. An overwhelming majority of the population was Sunni Muslim. Authorities restricted the right of Christians to practice their faith, and police regularly threatened and sometimes detained practicing Christians.

There were two Roman Catholic churches and one Protestant church; however, the Government restricted the use of these Christian churches to noncitizens. The Government permitted Christian missionaries to work in local hospitals and schools but did not permit them to proselytize.

There were no reports of Christians being detained on Anjouan during the year. Some community authorities on Anjouan banned Christians from attending any community events and banned Christian burials in a local cemetery.

There was widespread societal discrimination against Christians, who faced insults and threats of violence from members of their communities. Mobs harassed Christians in front of mosques, and religious authorities have summoned them for questioning. In some instances, families forced Christian members out of their homes or threatened them with a loss of financial support. Some Christians had their Bibles taken by family members. Local government officials, religious authorities, and family members attempted to force Christians to attend services at mosques against their will.

Unlike in the previous year, there were no reports that religious leaders on Anjouan and Grande Comore threatened Christians during radio broadcasts and sermons in mosques. Attempts have been made to isolate Christians from village life.

For a more detailed discussion, see the [2003 International Religious Freedom Report](http://www.state.gov/g/drl/rls/hrrpt/2003/27720pf.htm).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice.

During the year, there continued to be reports that persons fled Grande Comore and Anjouan for Mayotte; many of these persons reportedly drowned when they attempted to reach Mayotte on rafts or by swimming.

The Constitution does not provide for the granting of asylum or refugee status to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol, and the Government has not formulated a policy regarding refugees or asylees. In practice, the Government provided protection against refoulement but did not routinely grant refugee or asylum status; it also provided temporary protection to certain individuals who do not qualify as refugees or asylees. The Government cooperated with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations assisting refugees.

Approximately 10 refugees from central Africa remained in the country, and they were awaiting placement by the UNHCR in other countries at year's end. There was one request for refugee status pending at year's end.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides specifically for the right of citizens to change their government in regularly scheduled elections, and in practice they were allowed to do so in the April 2002 presidential elections, which were characterized as free and fair by international observers. Three candidates advanced from the primary to the general election in which President Azali was elected with approximately 75 percent of the vote. Under the terms of the Constitution, a president will be elected from a different island every 4 years, based on a rotating schedule.

The country has been prone to coups and political insurrection since its independence in 1975, including an attempted coup in February that resulted in the arrest of 12 soldiers and 2 Ministers. All those arrested were released quickly, except for the Minister of the Interior for the Government of Grande Comore Island, who allegedly led the coup. He was reportedly detained on February 13 and released on May 30.

In 2001, the Constitution, which calls for the reincorporation of Anjouan, Grande Comoros, and Moheli into a new federation that grants the islands greater autonomy, was approved overwhelmingly in a referendum described by international observers as free and fair. Each of the three islands that constituted the Union has a separate elected President. An agreement was reached in December in Moroni between the President of the Union and the individual island presidents concerning the division of powers between the competing presidencies.

The Constitution provides that the Legislative Assembly will be composed of 33 members. Of these, citizens will elect directly 18, and the Government will appoint 15 (5 per island). Legislative Assembly elections, scheduled for March, were postponed. As part of the agreement reached in December, local island elections are scheduled for March 2004, and national elections are scheduled for April 2004.

There were no bans in effect on political parties, which continued to criticize the Government openly. There were 21 political parties in the country; 5 parties represented the Government, and 16 parties represented the opposition.

Village chiefs and Muslim religious leaders tended to dominate local politics. Traditional social, religious, and economic institutions also affected political life in important ways.

There was one woman in the Cabinet. Two women hold senior government positions: One was the President of the Tribunal of First Instance, and the other was legal counsel to President Azali.

An overwhelming majority of the population was Sunni Muslim, and all citizens, including the small number of Christians in the country, identified themselves as Muslims for safety reasons (see Section 2.c.). There were no Christians in the Government.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A few domestic and international nongovernmental organizations generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were cooperative and responsive to their views. The Comorian Association of Human Rights was not active during the year due to a lack of funds. In July 2002, the newly formed Haki Association for Human Rights ran a series of human rights seminars open to all persons.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution prohibits discrimination based on these factors; however, there was discrimination against women.

Women

Domestic violence against women occurred, but medical authorities, the police, and women's groups believed that it was rare. A woman could seek protection through the courts in the case of violence, but the problem was addressed most often within the extended family or at the village level.

Prostitution is illegal, and most citizens did not consider it to be a problem.

Men have the dominant role in society. A matriarchal tradition afforded women some rights, especially in terms of landholding. Societal discrimination against women was most apparent in rural areas where women had farming and childrearing duties and fewer opportunities for education and wage employment. The status of women improved in the major towns, where growing numbers of women were in the labor force and generally earned wages comparable to those of men engaged in similar work; however, few women held positions of responsibility in business. The Constitution provides for equality of persons, and in general inheritance and property rights do not discriminate against women. For example, the house that the father of the bride traditionally provides to the couple at the time of their marriage remains her property in the event of divorce.

Children

The Government has not taken any specific action to protect or promote children's welfare. Legal provisions that address the rights and welfare of children were not enforced because of a lack of inspectors.

Education was compulsory until the age of 10; however, attendance was not enforced. According to a 2002 UNICEF study, an estimated 69 percent of children attended primary school, while only 34 percent attended secondary school; 55 percent of boys attended school, and 45 percent of girls attended school.

Child abuse was rare but occurred.

Child prostitution and child pornography are illegal. Unmarried children under the age of 13 were considered minors, and they were protected legally from sexual exploitation, prostitution, and pornography.

Persons with Disabilities

There was no discrimination against persons with disabilities in employment, education, or in the provision of other state services; however, there were no laws that mandate access to buildings for persons with disabilities.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right to unionize, and the Government has not prevented industries from unionizing. Most of the population was engaged in farming on small land holdings, subsistence fishing, and petty commerce. The wage labor force numbered less than 7,000 including government employees and less than 2,000 excluding them. Teachers, civil servants, and dockworkers were unionized. Unions were independent of the Government.

The Labor Code, which was rarely enforced, does not include a system for resolving labor disputes, and it does not prohibit anti-union discrimination by employers.

There were no restrictions on unions joining federations or affiliating with international bodies; however, no union was known to do so.

b. The Right to Organize and Bargain Collectively

The law protects workers from employer interference in their right to organize and administer their unions. Unions have the right to bargain collectively; however, employers set wages in the small private sector, and the Government, especially the Ministries of Finance and Labor, set them in the larger public sector.

The Constitution provides for the right to strike, and the Government generally respected this right in practice. In previous years, government workers, teachers, and hospital workers held strikes primarily because they were not paid for weeks at a time. There was one teachers' strike during the year. There were no laws protecting strikers from retribution, but there were no known instances of retribution.

There are no export processing zones.

c. Prohibition of Forced or Bonded Labor

The Constitution prohibits forced or bonded labor by adults; however, the Government did not prohibit forced and bonded labor by children, and there were some instances in which it occurred (see Section 6.d.).

d. Status of Child Labor Practices and Minimum Age for Employment

The Labor Code defines the minimum age for employment as 15 years of age. The Ministry of Labor had few resources to enforce this provision; however, child labor generally was not a problem due to the general lack of wage employment opportunities. Children generally worked in the informal sector for their families in the subsistence farming and fishing sectors.

Some families placed their children in the homes of others where they worked long hours in exchange for food or shelter. A 2000 UNICEF study found that approximately 15 percent of children worked at jobs for which they were not paid.

The Government has not ratified International Labor Organization Convention 182 on the worst forms of child labor; however, the Government adhered to its provisions in practice.

e. Acceptable Conditions of Work

There was no minimum wage. In previous years, the Government paid workers late or failed to pay them at all; however, during the year, government workers were paid more regularly.

The Labor Code specifies a workweek of 37½ hours with 1 day off per week plus 1 month of paid vacation per year.

There were no safety or health standards for the very small manufacturing sector.

The law protects legal foreign workers; however, there were no such provisions in the law to protect illegal foreign workers.

f. Trafficking in Persons

The law does not prohibit trafficking in persons; however, there were no reports that persons were trafficked to, from, or within the country.